

KATE McKENNA, AICP
Executive Officer

**MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

Adopted on June 25, 2007

***An audio recording of this meeting is available at the LAFCO office. Please contact us
at (831) 754-5838 to arrange a time to listen or to order a copy.***

Regular Meeting

Monday, May 21, 2007, 4:00 p.m.

**Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal, First Floor
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order by Commissioner Vice-Chair Rubio at 4:03 p.m. in the Monterey County Board of Supervisors Chambers. Commissioner Potter led the Pledge of Allegiance.

ROLL CALL

Members Present

Chair Tom Perkins, *(Special District Member)*
Commissioner Rubio, Vice-Chair, *(City Member)*
Commissioner Calcagno, *(County Member)*
Commissioner Darington, Alternate *(Public Member)*
Commissioner DiMaggio *(Public Member)*
Commissioner Donohue, *(City Member)*
Commissioner Gourley, Alternate *(City Member)*
Commissioner McGowan *(Special District Member)*
Commissioner Potter, Interim for Commissioner Smith *(County Member)*
Commissioner Shirrel, Alternate *(Special District Member)*

Members Not Present

Members Not Present, Presence Not Required

Commissioner Armenta, Alternate *(County Member)*

Staff Present

Kate McKenna, AICP, Executive Officer
Thomas A. McCue, AICP, Senior Analyst
Elliot Mulberg, Senior Analyst
Efren Iglesia, LAFCO Counsel
Rachelle Jones, LAFCO Clerk

Item 4: Minutes

4.b Approval of Minutes of the April 23, 2007 Regular LAFCO Meeting.

Upon Motion of Commissioner Calcagno, seconded by Commissioner Donohue, minutes of the April 23, 2007 regular LAFCO meeting, were unanimously approved.

Item 5: Public Comment:

None

Item 6: Commissioner Comment:

Commissioner McGowan encouraged Commission to communicate with staff regarding questions or comments concerning staff reports.

Item 7 (a-e): Consent Agenda:

Executive Officer McKenna provided staff report.

Upon Motion of Commissioner DiMaggio, seconded by Commissioner Perkins, consent agenda items: Accept Check Registers for April 2007, Accept Legislation Report, Authorize the Executive Officer to Execute a Contract with Principal Life Insurance for Ancillary Benefits Insurance and to Cancel Coverage with United Group Insurance Trust, Accept Third Quarter Financial Statements for Fiscal Year 2006-07, and Receive List of Anticipated Future Agenda Items.

Item 8: Public Hearing

8.a Reconsideration of the Commission's March 26, 2007 Approval of a Comprehensive Amendment to Update the Sphere of Influence of the City of Greenfield, Limited to Two Specific Requests for Reconsideration, from LAFCO Commissioner Louis R. Calcagno and Property Owner Henry Signorotti (*LAFCO File No. 06-10*).

Senior Analyst McCue requested that the Commission take up the two requests separately.

(1) Reconsideration Request of LAFCO Commissioner Louis R. Calcagno.

Senior Analyst McCue provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

There was no public comment on this reconsideration request.

Vice-Chair Rubio closed item to the floor.

Commission Comment and Action

Commissioner Calcagno provided comments regarding his intentions for his vote on the Greenfield Sphere of Influence Update at the April 23 LAFCO hearing.

Upon Motion of Commissioner Donohue, seconded by Commissioner Rubio, Reconsideration of the Commission's March 26, 2007 Approval of a Comprehensive Amendment to Update the Sphere of Influence of the City of Greenfield, from LAFCO Commissioner Louis R. Calcagno (*LAFCO File No. 06-10*), was denied by the following vote:

AYES: Commissioners Donohue, Rubio, DiMaggio, McGowan, and Potter
NOES: Commissioners Calcagno and Perkins
ABSTAIN: None

(2) Reconsideration Request of Property Owner Henry Signorotti.

Senior Analyst McCue provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

The following people, in the order in which they spoke, provided public comment on this item:

Name
Shary Damon, Attorney representing property owner Henry Signorotti
William D. Ross, Special Counsel for the City of Soledad
Brian Finegan, Attorney representing property owner J. Lohr Vineyards
John Huerta, Mayor of the City of Greenfield
Tony Brigantino, Real Estate Appraiser and Broker
Henry Signorotti, property owner
Aaron Johnson, Attorney representing two property owners near the Signorotti property

Vice-Chair Rubio closed item to the floor.

Commission Action

Upon Motion of Commissioner Calcagno, seconded by Commissioner McGowan, Reconsideration of the Commission's March 26, 2007 Approval of a Comprehensive Amendment to Update the Sphere of Influence of the City of Greenfield, from property owner Henry Signorotti (*LAFCO File No. 06-10*), was denied by the following vote:

AYES: Commissioners Calcagno and McGowan, DiMaggio, Perkins, and Potter
NOES: Commissioners Donohue and Rubio
ABSTAIN: None

8.b Consideration of the Final LAFCO Budget and Work Program for Fiscal Year 2007-08.

Executive Officer McKenna provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

There was no public comment for this item.

Commission Action

Upon Motion of Commissioner Perkins, seconded by Commissioner Calcagno, the Final Fiscal Year 2007-08 LAFCO Budget and Work Program, was unanimously approved.

9: Other Business

9.a Provide Direction on a Negotiation Process for a LAFCO-City of Greenfield Memorandum of Agreement to Address Issues Associated with the Impacts of Planned Growth, in Fulfillment of a Condition of Approval of the City of Greenfield's Sphere of Influence Update (*LAFCO File No. 06-10: Resolution No. 07-04, Section 11a*).

Executive Officer McKenna provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

The following people, in the order in which they spoke, provided public comment on this item:

Name
John Bakker, Attorney
Aaron Johnson, Attorney representing two property owners near the Signorotti property
William D. Ross, Special Counsel for the City of Soledad, Gonzales and King City

Vanessa Vallarta, Attorney representing the City of Salinas
Geary Coats, representing property owners
David Mora, City Manager, City of Salinas

Vice-Chair Rubio closed item to the floor.

Commission Comment and Action

Vice Chair Rubio recommended amendment to staff recommendation #2, removing “authorize” and replacing it with “approve”.

Upon Motion of Commissioner Calcagno seconded by Commissioner Potter, Negotiation Process for a LAFCO-City of Greenfield Memorandum of Agreement to Address Issues Associated with the Impacts of Planned Growth, in Fulfillment of a Condition of Approval of the City of Greenfield’s Sphere of Influence Update (*LAFCO File No. 06-10: Resolution No. 07-04, Section 11a*), was unanimously approved as recommended by staff and amended by Vice-Chair Rubio.

9.b Preliminary Discussion of an Issue Paper on a Proposed Policy to Require Cities to Enter into a Memorandum of Agreement with LAFCO to Address Issues Associated with the Impacts of Planned Growth from Sphere of Influence Updates and Annexations, including Direction on Policy Content, a City Consultation Process, and Public Hearing Schedule.

Executive Officer McKenna provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

The following people, in the order in which they spoke, provided public comment on this item:

Name
City Manager, City of King City
William D. Ross, Special Counsel for the City of Soledad, Gonzales and King City
Aaron Johnson, Attorney representing several property owners

Roy Handley, City of King City
Vanessa Vallarta, Attorney representing the City of Salinas
Brian Finnegan, Attorney representing several property owners

Vice-Chair Rubio closed item to the floor.

Commission Comment and Action

Upon Motion of Commissioner Potter, seconded by Commissioner, Preliminary Discussion of an Issue Paper on a Proposed Policy to Require Cities to Enter into a Memorandum of Agreement with LAFCO to Address Issues Associated with the Impacts of Planned Growth from Sphere of Influence Updates and Annexations, including Direction on Policy Content, a City Consultation Process, and Public Hearing Schedule, was unanimously continued to the September 24 regular LAFCO meeting.

Commission also directed staff to consult with the Special Districts regarding any issues of concern with the MOA policy.

10: Executive Officers Report

10.a Status of Carmel Valley Incorporation Proposal (*LAFCO File No. 03-10*).

Executive Officer provided brief status report on the Carmel Valley Incorporation Proposal (*LAFCO File No. 03-10*).

10.b Other Reports

There were no additional Executive Officer Report

Item 11: Correspondence

No additional items of correspondence.

Item 12: Election of Chair and Chair Pro Tempore

Executive Officer provided report.

Chair Perkins chaired this portion of the meeting.

Commission Comment and Action

Commissioner McGowan nominated Commissioner DiMaggio as the new Chair, and for Commissioner Rubio to maintain his position as Chair Pro Tempore. Commissioner Rubio declined and nominated Commissioner Donohue as the new Chair Pro Tempore.

Upon Motion of Commissioner McGowan, seconded by Commissioner Calcagno, Commissioner DiMaggio was elected as Chair and Commissioner Donohue as Chair Pro Tempore, unanimously.

Commission discussed a rotation policy relating to future elections of the LAFCO Chair and Chair Pro tempore, and directed staff to bring this policy back to a future meeting.

Item 13: Closed Session

Chair Perkins called the meeting into closed session.

Pursuant to Government Code Section 54956.9 (a) – Existing Litigation

The Commission Conferred with Special Legal Counsel Regarding the Following Items:

- (1) “Carmel Valley Forum, Inc. (Petitioner) vs. Local Agency Formation Commission of Monterey County (Respondent),”
Superior Court Case Number M83394**
- (2) “William Sims, Mark Spindler, Sharon Waller, and Valley Volunteers, Inc. (Petitioners) VS. Monterey County Local Agency Formation Commission also known as LAFCO of Monterey County (Respondent),”
Superior Court Case Number M79069**

Chair DiMaggio reopened the meeting from Closed Session.

There was no reportable action from Closed Session.

Item 14: Adjournment

On motion of Chair DiMaggio, there being no objection, the meeting was adjourned at 7:54 p.m. to the next regular LAFCO meeting to be held on Monday, June 25, 2007 at 4:00 p.m. in the Board of Supervisors Chambers, 168 W. Alisal St., First Floor, Salinas, California.

Respectfully Submitted,

Rachelle Jones
LAFCO Clerk